

DAVIDSON COUNTY **REGISTER OF DEEDS** **FILING REQUIREMENTS**

All Documents

- Property in Davidson County
- Original document
- Document must be dated
- Examine whether the document is taxable or not
- Name of preparer of instrument (Except Releases)
- Must be signed
- Notarized with complete notary acknowledgement
(Notarization is optional for Leases, Bylaws & Contracts)
- Date notarized
- Date notary commission expires
 - **If missing seal or notary commission date, check state requirements to see if they are necessary
- Check payable to Register of Deeds or Bill Garrett
- Make sure the check is dated & signed

Self-Addressed stamped envelope included

- **If no postage is sent check to see if the company has an escrow account
- ****Certified copy from the courts** must be signed by the clerk & sealed

*****The Re-Recording of any instruments require that all original grantor(s) resign & be re-acknowledged. If you are unable to get the instrument resigned then a Scrivener's Affidavit is acceptable and it will be indexed as an Affidavit.**

Affidavit of Heirship

- Name of Deceased Individual
- List of Heirs
- Affiant must sign

Affidavit of Lost Assignment

- Original borrower
- Original reference number
- Assignor & Assignee

Affidavit Void Foreclosure

- Original reference number(s)
- Borrower name

Revised 6/1/2007

**Amendment of
Deed of Trust**

- Original reference number(s)
- If it amends the amount, must state the amount of increase in the Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$_____, if no increase insert \$0.00
- A \$250 or double the tax penalty, whichever is greater, applies when executed over 60 days of the prepared date

**Appointment of
Substitute Trustee**

- Original debtor
- Original reference number

Articles of Amendment
Articles of Dissolution
Articles of Incorporation
Articles of Merger
Articles of Organization

- These all pertain to Charter's filed with the Secretary of State
- Principal office must be located in Davidson County
- Cover letter from the state and original document

Assignment of DOT

- Assignor & assignee
- Debtor's name
- Instrument number of assigned document
- Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$0
(If amount is listed taxes must be paid)

Assignment of Lease

- Lessor & Lessee or Landlord & Tenant

Assignment of Rents

- Debtor & Lender needed
- Reference Original DOT only if not filed after DOT
- Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$0.00. Unless there is an increase then that amount would be listed

**Assignment of
Rents & Leases**

- Debtor & Lender needed
- Reference Original DOT only if not filed after DOT
- Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$0.00. Unless there is an increase then that amount would be listed

Assumption Agreement

- Original borrowers
- Assuming party
- Bank/Lender
- Reference original DOT
- Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$0, unless the Original Borrower(s) is released then we would tax the amount being assumed.

<u>Beautification Lien</u>	-Name of person lien is against
<u>Bond to Discharge Lien</u>	-Name of the Principal, Surety, Claimant & Property Owner
<u>Cancel Release & Reinstatement Deed of Trust</u>	-Reference number of the release -Reference number of the Deed of Trust -Borrower, Trustee & Lender
<u>Charter</u>	-Principal office must be located in Davidson County -Cover letter from the state and original document
<u>Civil Warrant</u>	-Must be a certified copy signed, dated and sealed from the clerk
<u>Contract/Purchase & Sell Agreement</u>	-Must be signed by the seller - Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$_____. *Only taxable if terms are included
<u>Correction of Notary Acknowledgement</u>	-Reference # of the corrected document
<u>Declaration of Void Successor Trustee Sale</u>	-Reference number of Successor Trustee Deed & original DOT -Person or Company who purchased the sale on the STD -Original or present borrowers -Check for Exhibits
<u>Decree for Redemption & Decree for Confirming Sale</u>	-Chancery clerk deed with seal from court -Owners name and address -Tax bill name and address -Map and parcel number -Oath of Consideration – the amount purchased or the amount redeemed
<u>Deed of Trust</u>	-Debtor name -Secured party name -Trustee name -Property Description -Current derivation clause -Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$_____.
<u>Easements</u>	-Oath of consideration, taxable -Proper signatures **Easements conveyed to Metro must be approved by Metro. They must be signed, dated & sealed before recording.

<u>Final Decree of Divorce</u>	<ul style="list-style-type: none"> -Certified Copy from the Court -Real property being divested out of and vested into
<u>Foreclosure Notice of Default</u>	<ul style="list-style-type: none"> -Present borrower -Present mortgagee -Reference # of original DOT
<u>Foreclosure Notice of Appt. Trustee</u>	<ul style="list-style-type: none"> -Present borrower -Present mortgagee -Reference # of original DOT
<u>Foreign Charter</u>	<ul style="list-style-type: none"> -Must be original or certified copy from the state it's coming from
<u>Greenbelt Assessments</u>	<ul style="list-style-type: none"> -Approved by tax assessor
<u>Installment Deeds</u>	<ul style="list-style-type: none"> -Property description, derivation clause -New owner name and address -Tax bill name and address -Map & parcel number -Oath of consideration -Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$_____. -Trustee needed -Name of Seller -Name of Buyer
<u>Installment Sales Contract</u>	<ul style="list-style-type: none"> -Signed and notarized by debtor -Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$_____.*Only taxable if terms are included
<u>Liens</u>	<ul style="list-style-type: none"> -Name of party placing lien -Name of property owner -Amount of lien
<u>Limited Partnership</u>	<ul style="list-style-type: none"> -Any partnership that was formed before 1985 does not go to the Secretary of State for filing
<u>Master Deeds & Master Deed Amend</u>	<ul style="list-style-type: none"> -Must be approved by Property Mapping before recording -Check all exhibits
<u>Military Discharge</u>	<ul style="list-style-type: none"> -Member copy #4 only -No charge for recording or for certified copies -Give individual the option to remove their Social Security # from the document *If they choose to do so, make a copy of the MD mark thru the SS# then scan the copy

<u>Modification Agreement</u>	<ul style="list-style-type: none"> - If it modifies the amount, must state the amount of increase in the Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$_____, if no increase insert \$0.00 -A \$250 or double the tax penalty, whichever is greater, applies when executed over 60 days of the prepared date -Need original reference number
<u>Mortgage</u>	<ul style="list-style-type: none"> -Debtor name -Secured party name -Property description & current derivation clause -Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$_____.
<u>Notice and Affidavit Limiting Maximum Principal Amount</u>	<ul style="list-style-type: none"> -Borrower -Reference # -Lender
<u>Notice of Completion</u>	<ul style="list-style-type: none"> -Name of owner -Name of contractor/owner -Proper address/lot & subdivision -Date of completion
<u>Notice of Federal Tax Lien</u>	<ul style="list-style-type: none"> -Name and address of debtor & amount of debt
<u>Notice of State Tax Lien</u>	<ul style="list-style-type: none"> -Name and address of debtor & amount of debt
<u>Partial Releases</u>	<ul style="list-style-type: none"> -Name of Party being released -Reference Instrument number being released -Description of what is being released (Ex. Lt 1 Chase Point)
<u>Power of Attorney</u>	<ul style="list-style-type: none"> -Grantor and grantee names
<u>Quitclaim Deed</u>	<ul style="list-style-type: none"> -New owner name and address -Tax bill name and address -Map and parcel -Grantor and grantee names -Convey's interest only (no have and to hold language) Does not warrant title -Property description & current derivation clause -Oath of consideration may have \$0 or actual consideration
<u>Release of Assignment Of Lease</u>	<ul style="list-style-type: none"> -Reference instrument number being released -Assignor/Assignee

Releases of Lien

- Reference instrument number being released
- Name of party being released

Restrictions

- Must be signed by the Developer
- If a drawing is attached, must be approved by Property Mapping
- TCA 66-27-107

Revocation of Power Of Attorney

- Person revoked
- Reference number of original Power of Attorney(if applicable)

Scriveners Affidavit

- Reference number of instrument being corrected
- Can attach an original document that has already been recorded
- Borrower/Trustee/Lender or Seller/Buyer

Subdivision Plats

- Paper copy of plat (If from another City Planner)
- Signature & dated of planning commission
- Signature and seal of surveyor

Subordination Agreement

- Reference #'s of original DOT and the subordinate DOT
- Subordinate Lender
- Borrowers
- Original Lender

Substitute Trustees Deed

- Original debtor
- Reference number of original Deed of Trust
- Oath of consideration
- Grantor & Grantees names
- New owner name & address
- Tax bill name & address
- Map & parcel number

Surveyor's Affidavit

- Name of Surveyor
- Purpose of the Survey
- Attached Survey
- Reference instruments numbers associated with the survey

UCC1 Financing Statement

- Collateral to secure indebtedness
- Debtor and secured party name and address
- Maximum Principal Indebtedness for Tennessee Recording Tax Purposes is \$_____. If \$0.00 we require the reference number of where taxes were paid
- Special form Revised Article 9
- Fixture filings must have:**
- Fixture Filing Box checked or the document must specify it should be filed as a Fixture in real estate records
- Address of property where fixture is located

UCC Amendment

- Need Debtor/Secured Party
- Reference number of original UCC & Amendments

UCC Assignment

- Need Debtor/Secured Party/Assigning Party
- Reference number of original UCC & Amendments

UCC Continuation

- Need Debtor/Secured Party
- Reference number of original UCC & Amendments
- Continuations must have wording:
 - “Exactly same collateral as prior debt, does not increase principal debt”

UCC Termination

- Need Debtor/Secured Party
- Reference number of original UCC & Amendments
- Must refer to all subsequent documents

UCC3 True Lease

- *“True lease” transactions must state \$0 as amount and “No security interest-true lease”
- *Information only filings must state \$0 for special indebtedness & “No security interest-notice only”

Warranty Deed

- Name and address of new owner
- Tax bill name & address
- Map and parcel number(s)
- Oath of consideration
- Property description & derivation clause
- Buyer & Seller

Wills

- Certified copies from probate

Withdrawal of Foreclosure

- Original borrower
- Present mortgagee
- Reference number of DOT